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JAD

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Anthionius J. SWAAK

Art Unit: 1644

Application No.: 08/817,704

Examiner: G. Ewoldt

Filed: August 25, 1997

Attorney Dkt. No.: 108214-07002

For: USE OF ERYTHROPOIETIN IN THE TREATMENT OF RHEUMATOID
ARTHRITIS

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JAN 30 2003
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REQUEST FOR RECONSIDERATION

Commissioner for Patents
Washington, D.C. 20231

January 28, 2003

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Sir:

In reply to the outstanding Office Action dated September 30, 2002, the period for response having been extended for one month from December 30, 2002, to January 30, 2003, with the filing of the attached Petition for Extension of Time, reconsideration of the above-identified patent application in view of the remarks set forth below is respectfully requested.

REMARKS

Claims 18, 20, 23-26 and 31-35 are pending in this application.

Section 112 Rejection

The Office Action rejects claims 34 and 35 under 35 U.S.C. § 112, first paragraph, as not being sufficiently described in the specification. In particular, the